



Billing Code: 3510-22

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 950

Docket No: 121205685-2685-01

RIN: 0648-BC83

Schedule of Fees for Access to NOAA Environmental Data, Information, and Related Products and Services

AGENCY: National Environmental Satellite, Data and Information Service (NESDIS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Final rule.

SUMMARY: In this final rule, NESDIS establishes a new schedule of fees for the sale of its data, information, and related products and services to users. NESDIS is revising the fee schedule that has been in effect since 2011 to ensure that the fees accurately reflect the costs of providing access to the environmental data, information, and related products and services. NESDIS is authorized under 15 U.S.C. 1534 to assess fees, up to fair market value, for access to environmental data, information, and products derived from, collected, and/or archived by NOAA. Other than depreciation, costs to upgrade computer hardware and software systems will not be included in the fees charged to users. NESDIS is updating its schedule of fees for access to NOAA Environmental Data, Information, and Related Products and Services as costs of providing access have changed since 2011.

EFFECTIVE DATE: January 31, 2013.

FOR FURTHER INFORMATION CONTACT: Sherida Wright, (301) 713-9227

SUPPLEMENTARY INFORMATION:

Background

NESDIS operates NOAA's National Data Centers for Climate, Geophysics, Oceans, and Coasts. Through these Data Centers, NESDIS provides and ensures timely access to global environmental data from satellites and other sources, provides information services, and develops science products.

NESDIS maintains some 1,300 data bases containing over 2,400 environmental variables at three National Data Centers and seven World Data Centers. These centers respond to over 2,000,000 requests for these data and products annually from over 70 countries.

This collection of environmental data and products is growing rapidly, both in size and sophistication, and as a result the associated costs have increased.

Users have the ability to access the data offline, online and through the NESDIS **e-Commerce System (NeS) online store.** Our ability to provide these data, information, products and services depends on user fees.

New Fee Schedule

The new fee schedule lists both the current fee charged for each item and the new fee to be charged to users that will take effect beginning January 31, 2013. The schedule applies to the listed services provided by NESDIS on or after this date, except for products and services covered by a subscription agreement in effect as of this date that extends beyond this date. In those cases, the increased fees will apply upon renewal of the subscription agreement or at the earliest amendment date provided by the agreement.

NESDIS will continue to review the user fees periodically, and will revise such fees as necessary. Any future changes in the user fees and their effective date will be announced through notice in the Federal Register.

#### Classification

This rule has been determined to be not significant for purposes of E.O. 12866.

The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking and the opportunity for public participation are inapplicable because this rule falls within the public property exception of subparagraph (a)(2) of section 553, as it is limited only to the assessment of fees, per 15 U.S.C. 1534, that accurately reflect the costs of providing access to publicly available environmental data, information, and related products. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule.

Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 5 U.S.C. 553 or by any other law, the requirements of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) are not applicable. Accordingly, no Regulatory Flexibility Analysis is required and none has been prepared.

#### List of Subjects in 15 CFR Part 950

Organization and functions (Government agencies)

Michael H. Abreu

Chief, Financial Officer (CFO/CAO)

For the reasons set forth above, 15 CFR Part 950 is amended as follows:

## PART 950 – ENVIRONMENTAL DATA AND INFORMATION

1. The authority citation for part 950 continues to read as follows:

**Authority:** (5 U.S.C. 552, 553). Reorganization Plan No. 4 of 1970.

2. Appendix A to Part 950 is revised to read as follows:

### Appendix A to Part 950 – Schedule of User Fees for Access to NOAA Environmental

#### Data

Name of Product/Data/Publication/Information/Service	Current Fee	New Fee
NOAA National Data Centers Standard User Fees		
Department of Commerce Certification	\$ 91.00	\$ 86.00
General Certification	74.00	\$ 72.00
Paper Copy	\$ 2.00	\$ 2.00
Online In-Situ Digital Data	\$ 6.00	*
Data Poster	\$ 18.00	\$ 18.00
Shipping Service		
for orders totaling less than \$50.00	\$ 3.00	\$ 4.00
for orders totaling \$50.00 or more	\$ 3.00	\$ 4.00
Rush Order Fee	\$ 60.00	\$ 60.00
Super Rush Order Fee	\$ 100.00	\$ 100.00
Foreign Handling Fee		
for orders totaling less than \$100.00	\$ 39.00	\$ 67.00
for orders totaling \$100.00 or more	\$ 39.00	\$ 67.00
Additional National Climatic Data Center (NCDC) User Fees		
NEXRAD Doppler Radar Color Prints	\$ 17.00	\$ 14.00
Paper Copy from Electronic Media	\$ 6.00	\$ 6.00
Offline In-Situ Digital Data	\$ 156.00	\$ 124.00
Microfilm Copy (roll to paper) per frame from existing film	\$ 14.00	\$ 14.00
Satellite Image Product	\$ 83.00	\$ 73.00
Offline Satellite Digital Data (average unit size is 1.2 gigabytes)		
Offline Radar Digital Data (Level II) (average unit size is 4 gigabytes)		
Offline Satellite, Radar, and Model Digital Data (average unit size is 1 terabyte)	\$ 984.00	\$ 615.00
Conventional CD-ROM/DVD	\$ 69.00	\$ 60.00
Specialized CD-ROM/DVD	\$ 158.00	\$ 131.00
CD-ROM/DVD Copy, Offline	\$ 35.00	\$ 30.00
CD-ROM/DVD Copy, Online Store	\$ 17.00	\$ 15.00
Facsimile Service	\$ 80.00	\$ 78.00
Order Handling	\$ 9.00	\$ 8.00
Non-Digital Order Consultation	\$ 7.00	\$ 6.00
Digital Order Consultation	\$ 22.00	\$ 18.00

Additional National Oceanographic Data Center (NODC) User Fees		
NODC Non-Serial Publications	\$ 22.00	\$ 27.00
NODC Non-Standard Data; Select/Copy to CD, DVD or Electronic Transfer, Specialized, Offline	\$ 49.00	\$ 59.00
NODC Non-Standard Data; 1-1 Direct Copy to CD, DVD, or Electronic Transfer, Specialized, Offline	\$ 19.00	*
NODC Digital and Non-Digital Off-the-Shelf Products, Online	\$ 7.00	\$ 9.00
NODC Digital and Non-Digital Off-the-Shelf Products, Offline	\$ 9.00	\$ 11.00
NODC Order Consultation Fee	\$ 2.00	\$ 2.00
NODC Handling and Packing Fee	\$ 7.00	\$ 8.00
World Ocean Database-World Ocean Atlas 2009 DVDs	\$ 11.00	\$ 11.00
Additional National Geophysical Data Center (NGDC) User Fees		
Mini Poster	\$ 1.00	\$ 1.00
Icosahedron Globe	\$ .50	\$ 1.00
Convert Data to Standard Image	\$ 5.00	\$ 6.00
Single Orbit OLS	\$ 16.00	\$ 18.00
Single Orbit OLS, Additional Orbits	\$ 5.00	\$ 5.00
Single Orbit OLS – Subset	\$ 16.00	\$ 18.00
Single Orbit OLS, Subset- Additional Orbits	\$ 5.00	\$ 5.00
Geolocated Data	\$ 45.00	\$ 47.00
Subset of Pre-existing Geolocated Data	\$ 27.00	\$ 28.00
Global DMSP-OLS Nighttime Lights Annual Composite from One Satellite	\$73,614.00	\$74,032.00
Most Recent DMSP-OLS Thermal Band/Cloud Cover Mosaics from Multiple Satellites	\$ 250.00	\$ 259.00
Nightly DMSP-OLS Mosaics, Visible and Thermal Band Data from One Satellite	\$ 235.00	\$ 241.00
Global DMSP-OLS Nighttime Lights Lunar Cycle Composite from One Satellite	\$ 6,307.00	\$ 6,531.00
Radiance Calibrated Global DMSP-OLS Nighttime Lights Annual Composite from One Satellite	\$81,047.00	\$82,075.00
Research Data Series CD-ROM/DVD	\$ 25.00	\$ 25.00
Custom Analog Plotter Prints	\$ 60.00	\$ 60.00
NOS Bathymetric Maps and Miscellaneous Archived Publication Inventory	\$ 7.00	\$ 7.00
Global DMSP-OLS Annual Composite of Persistent Nighttime Lights on Monthly Increments from One Satellite	\$ 8,032.00	\$ 8,305.00
Data Poster	\$ 18.00	*
High Definition Geomagnetic Model	\$19,997.00	\$20,060.00
*Reflects a product no longer offered.		

[FR Doc. 2012-30519 Filed 12/18/2012 at 8:45 am; Publication Date: 12/19/2012]